UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1996/286/Add.1
3 May 1996

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE IMPLEMENTATION OF RESOLUTION 1050 (1996)

1. The purpose of the present addendum is to report to the Security Council on the results of the mission that the Under-Secretary-General for Political Affairs undertook to Rwanda from 19 to 24 April 1996 in order to bring to a conclusion the negotiations that had been initiated by my Special Representative with regard to the maintenance of a United Nations Office in Rwanda (UNOR) following the withdrawal of the United Nations Assistance Mission for Rwanda (UNAMIR) (see S/1996/286 of 15 April 1996, para. 28).

2. The Under-Secretary-General met, successively, with Prime Minister Rwigema, Vice-President Kagame and President Bizimungu. At the first two of these meetings, he was accompanied by my Special Representative before the latter finally left Rwanda on 20 April. In his conversations with all three personalities, the Under-Secretary-General recalled that the Security Council had welcomed the Foreign Minister's letter of 1 March 1996 (S/1996/176), which described the functions that the Government of Rwanda wished the United Nations to perform in Rwanda following the withdrawal of UNAMIR and which, inter alia, recorded the Government's acceptance of the proposal for the maintenance of a United Nations Office in Rwanda. On this basis, the Security Council had adopted resolution 1050 (1996), operative paragraph 4 of which encouraged me, in agreement with the Government, to maintain in Rwanda such an office, to be headed by my Special Representative and to include the present United Nations communications system and radio station, for the purpose of supporting the efforts of the Government to promote national reconciliation, strengthen the judicial system, facilitate the return of refugees and rehabilitate the country's infrastructure, and of coordinating the United Nations efforts to that end.

3. The Government had subsequently sought clarification of that mandate. My Special Representative's resulting conversations at Kigali had established that what was sought was not so much clarification of the mandate as clarification of the modalities through which it would be carried out, with special reference to the duration, size and resources of UNOR and to the functions that its head, my Special Representative, would perform.

4. The Under-Secretary-General went on to explain, on the basis of the Council's previous practice in such cases, that it was probable that the Office would initially be established for a period of six months and that this initial mandate would subsequently be extended for further periods of a similar duration if the Government so wished and the Council was satisfied that the Office's achievements justified the expenditure involved. The Office's size would be as described in paragraphs 11 and 12 of my report of 15 April (S/1996/286). It would have no resources other than those required for its own operational expenses. The sources of funding for United Nations activities in Rwanda would continue to be the budgets of the various programmes, funds and agencies working there, in addition to any voluntary contributions made by Member States. It was felt that the two existing Trust Funds (see paras. 14 to 16 of my report of 15 April) provided an adequate mechanism for receiving and disbursing such voluntary contributions; but if the Government was of the view that an additional trust fund was required, this possibility would be sympathetically examined.

5. As regards the functions of the Special Representative and his staff, these would, to a large extent, be determined by the wishes of the Government. On the basis of experience elsewhere, they could include the following: support and advice to the Government, as desired by it, on the political aspects of Rwanda's current problems, especially in the fields of national reconciliation, the return of refugees and relations with its neighbours; provision of a direct channel of communication with the Secretary-General; advocacy for Rwanda vis-à-vis the United Nations system and the international community at large; and high-level coordination of all the activities of the United Nations system in Rwanda, not just the developmental and humanitarian activities that fall within the purview of the United Nations Resident Coordinator/Humanitarian Coordinator. The Office would also include the United Nations radio station, which would use personnel and equipment previously employed for Radio UNAMIR.

6. On 23 April, the Under-Secretary-General was informed by President Bizimungu that the Government had decided to confirm its acceptance of a United Nations Office on the basis described by him, but the Government was not willing to approve the proposed United Nations radio station; it would create the impression that UNAMIR was still in Rwanda under another guise and would involve a higher profile for the United Nations Office than the Government wished. However, the Government was ready to make available to the United Nations three hours of air time each evening on the Government's radio station. The Under-Secretary-General expressed regret at the Government's decision on the United Nations radio station but said that its alternative offer would be carefully examined.

7. The way is thus now clear for the establishment of UNOR in accordance with resolution 1050 (1996). I intend shortly to inform the Council of the person whom, after consultation with the Government, I shall appoint as my Special Representative. Work is continuing on a plan for broadcasting United Nations programmes on the Government radio station and discussions will shortly be resumed with the Government on this matter. Negotiation of the Status of Mission Agreement for the new Office is well advanced and is likely to be concluded in the very near future. It has been decided that the United Nations communications system should remain with the International Criminal Tribunal for

the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, at the Amahoro Hotel, which will be the seat of the Tribunal in Rwanda. I have recently been informed that a previously agreed arrangement by which UNOR would occupy space in the same building is no longer acceptable to the Tribunal. I am nevertheless confident that the problem of UNOR's location will soon be resolved.

8. I shall shortly present to the General Assembly my proposals for the budget of UNOR, which is likely to amount to some $1.3 million for the first six months' mandate period. For reasons already communicated to Member States, it will not be possible to finance these requirements from savings within resources already appropriated for the programme budget for the biennium 1996-1997. Additional appropriations will therefore be necessary if UNOR is to be established.

9. In addition to the above-reported discussions about the establishment of UNOR, the representatives of the Government raised with the Under-Secretary-General certain issues left pending following the withdrawal of UNAMIR, although they did not link them in any way to the question of the new Office.

10. Foremost among these was the former UNAMIR equipment which the United Nations had offered to the Government free of charge. The Under-Secretary-General explained, as had my Special Representative on previous occasions, that my ability to make such equipment available to the host Government was constrained by standing decisions of the General Assembly that gave priority to the requirements of present and future United Nations peace-keeping operations and to those of other United Nations bodies working in the country concerned. Although the equipment offered was not new, all of it was serviceable and indeed had been used by UNAMIR for its own operations right up to the end of the mandate. In addition to the equipment included in the formal offer, other equipment was available which was unserviceable but could, if the Government so wished, be used as a source of spare parts.

11. On 23 April, President Bizimungu indicated to the Under-Secretary-General that the Government had decided not to accept the equipment offered and that it could be distributed to other United Nations bodies working in Rwanda. A few days later, however, after the President and the Vice-President had personally inspected the equipment, I was informed that the Government had, after all, decided to accept the equipment.

12. Unfortunately, it did not prove possible to resolve the outstanding disagreement between the United Nations and the Government on the latter's claim for taxes against corporations that had come into the country as contractors to UNAMIR. President Bizimungu and the Under-Secretary-General concluded at their meeting on 23 April that the two sides would have to agree to disagree on this matter.

13. It is a matter of satisfaction that agreement has been reached with the Government on the establishment of a United Nations Office in Rwanda. I am convinced that an office of this kind will enhance the ability of the United

Nations system as a whole to provide the support Rwanda needs for its efforts to solve the grievous problems that still confront it. I accordingly recommend that the Security Council authorize the establishment of the Office for an initial period of six months.